

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**MARY K. WADE,**

**Defendant.**

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**CRIMINAL NO. 99-40094-GPM**

**ORDER**

**MURPHY, District Judge:**

This matter is before the Court on Defendant's motion to correct the Order entered April 14, 2008, reviving the judgment entered against Defendant Mary K. Wade on August 17, 2000. Specifically, Defendant points out that Ohio Casualty Insurance Company sought merely to revive the judgment and judgment lien under 735 ILCS 5/2-1602 and did not move to amend the judgment. Defendant asks the Court to delete from its Order the phrase "plus interest calculated from the date of Judgment until fully paid, plus court costs."

The Court has reviewed the judgment, and it is true that the interest requirement was waived. However, the judgment does state that Defendant "shall pay the cost of prosecution" (*see* Judgment at Page 7 of 8). Regardless of counsel's recollection of the sentencing judge's intention not to impose costs and the fact that the Government apparently never submitted costs, the judgment never was amended and the Court will not do so now. Defendant has not addressed the "cost of prosecution" term in the judgment and, consequently, has not argued that "cost of prosecution" is different than "court costs." The Court will not undertake such analysis, since it has not been raised.

Accordingly, Defendant's motion to correct order (Doc. 40) is **GRANTED in part and DENIED in part**. An Amended Order reviving the judgment and lien shall issue separately.

**IT IS SO ORDERED.**

DATED: 04/28/2008

s/ G. Patrick Murphy

G. Patrick Murphy  
United States District Judge